



Made my

Licence

Environmental Protection Act 1986, Part V

Licensee: **Shire of Plantagenet**

Licence: **L8767/2013/1**

Registered office: Shire of Plantagenet
22-24 Lowood Road
MT BARKER WA 6324

ACN N/A

Premises Address: Kendenup Waste Management Facility
Lot 1 on Diagram 83367
Lake Matilda Road
KENDENUP WA 6323

Issue date: Thursday, 29 August 2013

Commencement date: Monday, 2 September 2013

Expiry date: Saturday, 1 September 2018

Prescribed Premises Category

Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Premises production or design capacity
62	Solid waste depot – premises on which waste is stored, or sorted, pending final disposal or re-use	500 tonnes or more per year	2 000 tonnes per annual period

Conditions of Licence

Subject to the conditions of licence set out in the attached pages.

Date signed: 25 February 2016

Caron Goodbourn

A/Manager Licensing (Waste Industries)
Officer delegated under Section 20
of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Kendenup Waste Management Facility (WMF) located 2.9km north of the Kendenup town site is operated by the Shire of Plantagenet. The existing Category 89 putrescible landfill (registration R1517) within the Premises is not currently operating as a landfill, with all domestic putrescible wastes being transferred fortnightly to the O'Neil Road Waste Management Facility in Mount Barker. The Kendenup Waste Transfer Station, which was built in 2004/2005 without a Works Approval, occupies a small area along the north eastern boundary of the existing Kendenup WMF. Upgrades to the Waste Transfer Station have been completed under Works Approval W5516/2013/1.

The nearest residential dwelling, located on the Kendenup town site perimeter, is approximately 850 metres south of the facility. The nearest waterways are seasonal creeks located approximately 1km west and east of the site.

The existing site infrastructure includes a newly upgraded waste transfer station, closed landfill trenches, internal gravel access roads, perimeter fencing, various recyclables collection facilities, two hook lift bins with lids, bulk waste metal recycling, green waste storage areas, a used oil collection facility, a used battery storage area and a Drum Muster collection facility. The Waste Transfer Station is staffed during operating hours of three half days per week (for a total of 14 hours).

This Licence is the result of an administrative amendment application by the Licensee to alter the annual period and the due date for the Annual Environmental Report (AER) submission to DER. Other administrative and minor updates have been applied to the Licence. Some changes have been made with consideration to improving the consistency with the Kamballup Waste Management Facility Licence L8869/2014/1 and the Porongurup Waste Management Facility Licence L8754/2013/1 for which the Shire of Plantagenet is also the Licensee.

The licences and works approvals issued for the Premises since 29/09/2013 are:

Instrument Log		
Instrument	Issued	Description
L8767/2013/1	29/08/2013	New licence for the existing operation of the premises
W5516/2013/1	24/10/2013	Works Approval for transfer station upgrades
L8767/2013/1	25/02/2016	Licence administrative & minor amendments

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

'ACM' means asbestos containing material and has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

'the Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 March until 28 February in the following year;

'averaging period' means the time over which a limit is measured or a monitoring result is obtained;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means;

Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550
Email: info@der.wa.gov.au

'Green waste' means waste that originates from flora and which does not contain or has not been treated or coated with, preserving agents, biocides, fire retardants, paint, adhesives or binders;

'hardstand' means a surface with a permeability of 10^{-9} metres/second or less;

'Hazardous waste' has the meaning defined in Landfill Definitions;

'Inert Waste Type 1' has the meaning defined in Landfill Definitions;

'Inert Waste Type 2' has the meaning defined in Landfill Definitions;

'Landfill Definitions' means the document titled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer of the Department of Environment as amended from time to time;

'Licence' means this Licence numbered L8767/2013/1 and issued under the *Environmental Protection Act 1986*;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;



'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Putrescible Waste' has the meaning defined in Landfill Definitions;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.2 Premises operation

1.2.1 The Licensee shall only accept waste on to the Premises if:

- (a) it is of a type listed in Table 1.2.1;
- (b) the quantity accepted is below any quantity limit listed in Table 1.2.1;
- (c) it meets any specification listed in Table 1.2.1.

Table 1.2.1: Waste acceptance

Waste	Quantity Limit	Specification
Inert Waste Type 1	Combined total of 2 000 tonnes per annual period	Waste containing visible asbestos or ACM shall not be accepted.
Inert Waste Type 2		White goods, assorted metals and other construction waste (such as rubble) only.
Putrescible waste		Tyres and plastics (other than drumMUSTER products) only.
Hazardous waste		None specified
		Limited to waste oil, vehicle batteries and drumMUSTER products only.

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) are set out in the Environmental Protection (Controlled Waste) Regulations 2004.

1.2.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.2.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a segregated storage area or container and removed to an appropriately authorised facility as soon as practicable.

1.2.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.2.2 and in accordance with any process limits described in that Table.



Table 1.2.2: Waste processing		
Waste type	Process	Process limits
Inert Waste Type 1	Receipt, handling and storage prior to disposal	<ul style="list-style-type: none"> Crushing and/or screening of Inert Waste Type 1 is not permitted.
Inert Waste Type 2		<ul style="list-style-type: none"> Maximum of 100 tyres stored on site. Other recyclable plastics to be stored in the comingled recyclables bin or general waste bulk bin. Comingled recycling bin to be covered at all times when the transfer station is not in operation.
Putrescible waste		<ul style="list-style-type: none"> Only to be stored in the appropriate bulk lidded bins. The general waste bulk hook - lift bin is to be covered at all times when the transfer station is not in operation and its contents are to be removed for off-site disposal at least every 14 days. Green waste to be stored in either the green waste storage area within the transfer station or in the Bulk Green Waste Storage and Burning Area as shown in the Map of Facility and Storage Locations in Schedule 1.
Hazardous wastes		<ul style="list-style-type: none"> Maximum of 6,000 litres of waste oil to be stored in the purpose built waste oil recovery facility. Additional waste oil can be stored in 20 litre to 200 litre containers within the bunded and lined area of the waste oil recovery facility. Used batteries to be stored on a bunded pallet with an all-weather cover. All-weather cover to be in place at all times when the facility is closed. Maintain all drumMUSTER products within limits of drumMUSTER compound.
Putrescible waste	Disposal by burning	<p>Limited to green waste.</p> <p>Green waste shall only be burnt if;</p> <ul style="list-style-type: none"> it has been dried and seasoned for at least 2 months before burning; and it takes place in the Bulk Green Waste Storage and Burning Area as depicted in the Map of Facility and Storage Locations in Schedule 1; and it takes place in trenches or windrows; and it takes place only when an adequate supply of water is available to effectively manage the burning process.

- 1.2.4 The Licensee shall implement the following security measures at the site:
- erect and maintain suitable fencing to prevent unauthorised access to the site;
 - ensure that any entrance gates to the premises are securely locked when the premises are unattended; and
 - undertake regular inspections of all security measures and repair damage as soon as practicable.
- 1.2.5 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the Premises.
- 1.2.6 The Licensee shall take all reasonable and practical measures to ensure that no windblown litter escapes from the Premises.



2 Monitoring

2.1 Monitoring of inputs and outputs

2.1.1 The Licensee shall undertake the monitoring in Table 2.1.1 according to the specifications in that table.

Table 2.1.1: Monitoring of inputs and outputs

Input/Output	Parameter	Units	Averaging Period	Frequency
Waste Inputs	Putrescible waste (including green waste); Inert Waste Type 1; Inert Waste Type 2; Hazardous waste	tonnes (where a weighbridge is present on the site) m ³ (where no weighbridge is present)	N/A	Each load arriving at the Premises
Waste Outputs	Putrescible waste (including green waste); Inert Waste Type 1; Inert Waste Type 2; Hazardous waste	tonnes (where a weighbridge is present on the site) m ³ (where no weighbridge is present)	N/A	Each load leaving or rejected from the Premises
	Putrescible waste (green waste only)			Each stockpile burnt at the premises

3 Information

3.1 Records

3.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

3.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

3.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.



- 3.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

3.2 Reporting

- 3.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 31 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 3.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment or any environmental incidents that have occurred during the annual period and any action taken	None specified
3.1.3	Compliance	AACR
3.2.1	Complaints summary	None specified
2.1.1	Summary of inputs and outputs	None specified

Note 1: Forms are in Schedule 2

3.3 Notification

- 3.3.1 The Licensee shall ensure that the parameters listed in Table 3.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 3.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
1.2	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1

Note 1: Notification requirements in the licence shall not negate the requirement to comply with s72 of the Act

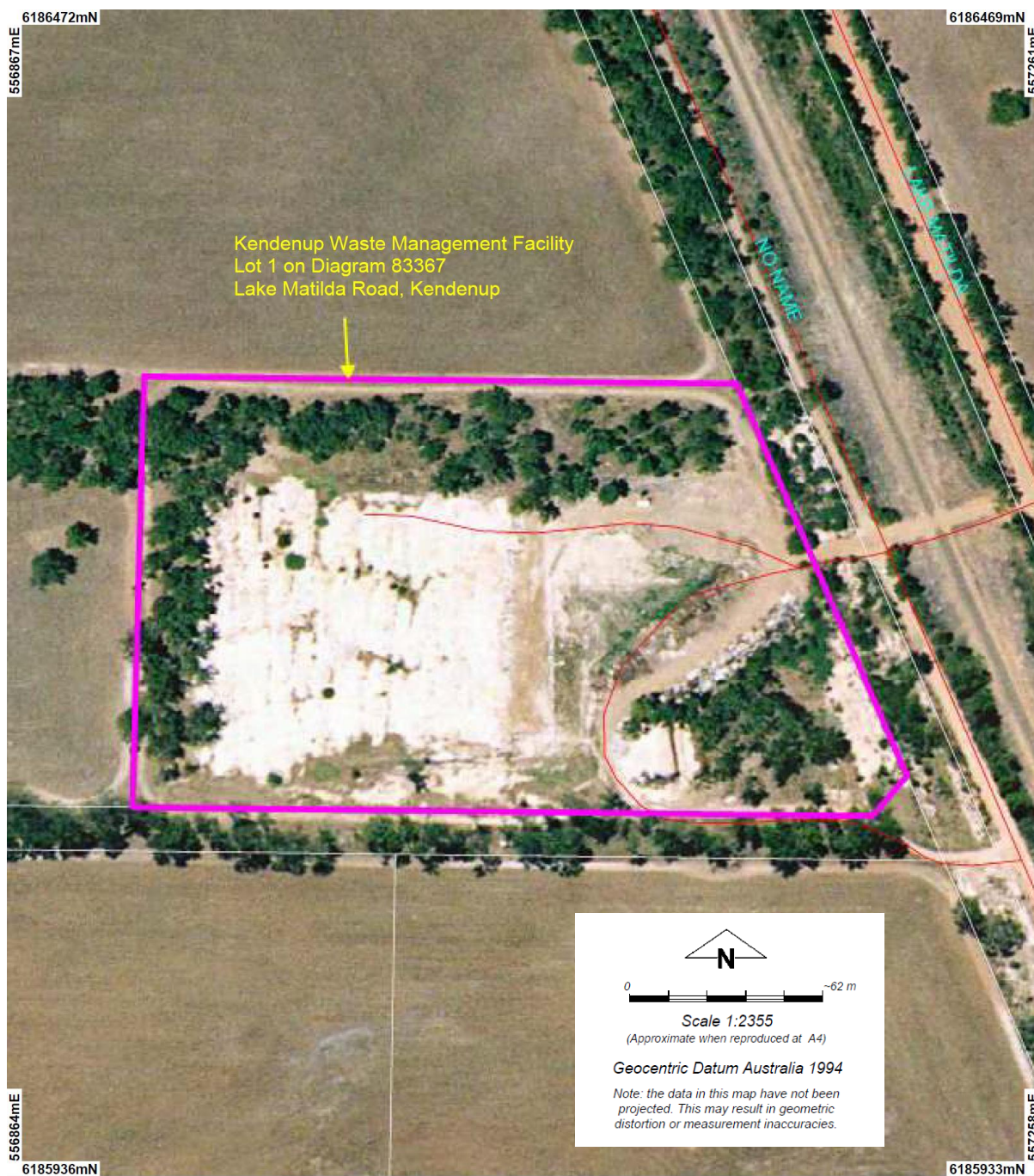
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The pink line depicts the Premises boundary.





Map of Facility and Storage Locations





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A

LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes ☐ Please proceed to Section C

No ☐ Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialised by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____

SEAL (if signing under seal)



Licence: L8767/2013/1
Form: N1

Licensee: Shire of Plantagenet
Date of breach:

Notification of detection of the breach of a limit.

These pages outline the information that the operator must provide.
Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Shire of Plantagenet

Licence: L8767/2013/1

Registered office: Shire of Plantagenet
22-24 Lowood Road
MT BARKER WA 6324

ACN: N/A

Premises address: Kendenup Waste Management Facility
Lot 1 on Diagram 83367
Lake Matilda Road
KENDENUP WA 6323

Issue date: Thursday 29 August 2013

Commencement date: Monday 2 September 2013

Expiry date: Saturday 1 September 2018

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: Tessa Smith
Licensing Officer

Decision Document authorised by: Caron Goodbourn
Delegated Officer



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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	62	2000 tonnes per annual period
Application verified	Date: 22/12/2014	
Application fee paid	Date: N/A	
Works Approval has been complied with	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Compliance Certificate received	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome	N/A	
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No:



		EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO ₂ requirements of Kwinana EPP.		

3 Executive summary of proposal and assessment

Kendenup Waste Management Facility (WMF) located 2.9km north of the Kendenup town site is operated by the Shire of Plantagenet. The existing Category 89 putrescible landfill (registration R1517) within the Premises is not currently operating as a landfill, with all domestic putrescible wastes being transferred fortnightly to the O'Neil Road Waste Management Facility in Mount Barker. The Kendenup Waste Transfer Station, which was built in 2004/2005 without a Works Approval, occupies a small area along the north eastern boundary of the existing Kendenup WMF. Upgrades to the Waste Transfer Station have been completed under Works Approval W5516/2013/1.

The nearest residential dwelling, located on the Kendenup town site perimeter, is approximately 850 metres south of the facility. The nearest waterways are seasonal creeks located approximately 1km west and east of the site.

The existing site infrastructure includes a newly upgraded waste transfer station, closed landfill trenches, internal gravel access roads, perimeter fencing, various recyclables collection facilities, two hook lift bins with lids, bulk waste metal recycling, green waste storage areas, a used oil collection facility, a used battery storage area and a Drum Muster collection facility. The Waste Transfer Station is staffed during operating hours of three half days per week (for a total of 14 hours).

This Licence is the result of an administrative amendment application by the Licensee to alter the annual period and the due date for the Annual Environmental Report submission to DER. Other administrative and minor updates have been applied to the Licence. Some changes have been made with consideration to improving the consistency with the Kamballup Waste Management Facility Licence L8869/2014/1 and the Porongurup Waste Management Facility Licence L8754/2013/1 for which the Shire of Plantagenet is also the Licensee. As part of the amendment DER has considered whether the risk profile of emissions and discharges from the premises has significantly changed since the Licence was originally issued in 2013. No significant changes have occurred, however the existing regulatory controls for stormwater management, dust and odour have been amended as detailed within the Decision Table below.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Interpretation	L1.1.2	<p>The following amendments have been made to the definitions within section 1.1.2;</p> <ul style="list-style-type: none">- The 'annual period' definition has been amended to refer to 1 March to 28 February as the annual period, as requested by the Licensee.- 'Director' definition has been removed and replaced with a definition for 'CEO'.- 'Code of practice for the storage and handling of dangerous goods', 'Dangerous goods', 'Environmentally Hazardous Material', 'Fugitive emissions', 'leachate' and 'Placard quantity' definitions have been removed as these terms will no longer be used within the Licence.- 'Green waste', 'Hazardous waste', 'Inert Waste Type 1', 'Inert Waste Type 2', 'Putrescible Waste' definitions have been updated to the latest versions of these definitions.- 'hardstanding' definition changed to 'hardstand' as hardstanding is incorrect.- 'Landfill Definitions' definition has been added. <p>Conditions 1.1.3 and 1.1.4 updated to reflect the most up to date versions of these conditions.</p>	
General conditions	L1.2.3	<p>Condition 1.2.1 of the existing licence has been removed, as this condition is considered redundant as it is not valid, enforceable or risk based.</p> <p>Conditions 1.2.2 – 1.2.5 of the existing licence have been removed, as these conditions are considered redundant. They are not enforceable as they are not sufficiently clear or certain.</p>	<p>General provisions of the <i>Environmental Act 1986</i></p> <p><i>Environmental Protection</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Emission Description</u> <i>Emission:</i> contaminated stormwater discharge to land and groundwater. The main contamination risk is stored green waste. <i>Impact:</i> contaminated stormwater may contribute to contaminant loads within soils or groundwater. The depth to groundwater in the area is unknown. The soil has been described by the Licensee as a thin layer of sandy/gravelly top soil underlain by a light coloured firm clay. The nearest waterways are seasonal creeks located approximately 1km west and east of the site. The area receives an average annual rainfall of between 400mm to 600mm. <i>Controls:</i> Putrescible waste is contained within lidded bins. The waste oil recovery facility is covered, lined and bunded. The co-mingled recycling bin is covered at all times. Used batteries are covered and stored on a bunded pallet. Relatively small amounts of green waste are stored within the site (360 tonnes accepted during the 2014-2015 annual period).</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Condition 1.2.5 of the existing licence has been removed as mentioned above. Condition 1.2.3 in the licence re-iterates the controls stated above for the containment of waste. Other than these requirements, it is not considered necessary to add a new condition to the Licence regarding stormwater management as the provisions of Section 49 of the <i>Environmental Protection Act 1986</i> and the provisions of the Environmental Protection (Unauthorised Discharge) Regulations 2004 are sufficient to regulate the potential emissions of contaminated stormwater.</p> <p><u>Residual Risk</u></p>	<i>(Unauthorised Discharges) Regulations 2004</i>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p>	
Premises operation	L1.2.1, 1.2.2	<p>Condition 1.2.1 and Table 1.2.1 (condition 1.3.1 and Table 1.3.1 in the existing licence) have been amended as detailed below:</p> <ul style="list-style-type: none"> - drumMUSTER products previously incorrectly listed as 'used plastic farm containers' under Inert Waste Type 2. This has been changed to drumMUSTER products under Hazardous waste. - Timber waste has been removed from the specification for Inert Waste Type 1 as this would not be considered Inert Waste Type 1 (unless it is unavoidable small quantities that could not be recovered). - Requirement to store up to 100 tyres has been removed, as it isn't necessary in this table. This requirement is already included within Table 1.2.2. - The wording of the hazardous waste specification was amended slightly for consistency with Licence L8754/2013/1 for the Shire of Plantagenet Porongurup Waste Management Facility Licence. <p>Condition 1.2.3 and Table 1.2.2 (condition 1.3.3 and Table 1.3.2 in the existing licence) have been amended as detailed below:</p> <ul style="list-style-type: none"> - Requirement to store Inert Waste Type 1 within the allocated storage areas shown within the map in Schedule 1 has been removed as the map in the existing licence does not indicate an area for the storage of Inert Waste Type 1. The revised map now included in the amended licence also will not indicate a specific storage area. - Reference to drumMUSTER products has been moved from 'Inert Waste Type 2' to 'Hazardous waste'. - The requirement of condition 2.7.2 of the existing licence regarding the removal of putrescible waste from the Premises has been moved into Table 1.2.2. 	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<ul style="list-style-type: none"> - The green waste storage requirement has been moved within the table so that it's located with the other putrescible waste storage requirements. - The reference to the Layout Plan in Schedule 1 in regards to green waste storage has been removed, as the storage area was not clearly indicated and the plan has been removed from the Licence. - The terminology of the waste oil recovery facility was made consistent throughout the text within Table 1.2.2. - The requirement that no waste oil is to be stored outside of the bunded and lined area has been removed as it's unnecessary duplication of the intent of the requirements that oil be stored only within the recovery facility or containers within the bunded and lined area of the facility. - Additional process wording was added in a new row for the burning of green waste. This activity is not clearly specified within the process column in Table 1.3.2 of the existing licence. - Green waste burning requirements have been amended for consistency with the Licence L8754/2013/1 and Licence L8869/2014/1 for the Shire of Plantagenet Porongurup Waste Management Facility and Kamballup Waste Management Facility. 	
Fugitive emissions	N/A	<p><u>Emission Description</u> <i>Emission:</i> Dust may be generated by vehicle movement within the Premise or the unloading of construction waste. <i>Impact:</i> Reduced local air quality from airborne particulates. The nearest residence is located 850m south of the facility. <i>Controls:</i> Low vehicle speed within the premises. No crushing or screening of construction waste is undertaken.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p>	<p>General provisions of the <i>Environmental Act 1986</i></p> <p>Annual Environmental Report 2014-15, Kendenup Waste Management Facility Lot 1, Lake Matilda Road Kendenup,</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Regulatory Controls</u> It is considered that the provisions of Section 49 of the <i>Environmental Protection Act 1986</i> are sufficient to regulate dust emissions. Conditions 2.6.1 and 2.6.2 of the existing licence have been removed.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p>	Shire of Plantagenet
Odour	L1.2.3	<p>The requirement of condition 2.7.2 of the current licence has been moved to Table 1.2.2.</p> <p>Condition 2.7.2 of the existing licence has been removed as this condition is not enforceable as the requirements for compliance are not clear.</p> <p><u>Emission Description</u> <i>Emission:</i> Odour may be generated by the storage of general waste within bins on site. <i>Impact:</i> Odour may interfere with the health or comfort of sensitive receptors. The nearest residence is located 850m south of the facility. <i>Controls:</i> Bins are lidded and the lids are closed when not in used. General waste is removed from the premises regularly (generally weekly).</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p>	Annual Environmental Report 2014-15, Kendenup Waste Management Facility Lot 1, Lake Matilda Road Kendenup, Shire of Plantagenet



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Regulatory Controls</u> Condition 1.2.3 specifies that the general waste bins are to be covered when the transfer station is not in use and that the contents of the bins are removed for off-site disposal at least every 14 days.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p>	
Monitoring of inputs and outputs	L2.1.1	<p>Condition 2.1.1 (condition 3.5.1 of the existing Licence) has been amended to remove unnecessary references to used tyres, empty plastic containers, used batteries and oil. The broader waste category types are sufficient.</p> <p>Text has been added to capture information on rejected loads in addition to loads leaving the premises.</p> <p>A requirement to monitor the quantity of green waste burnt on the premises has also been included, to ensure all waste outputs are being monitored. This change is consistent with the requirements within Licence L8754/2013/1 and Licence L8869/2014/1 for the Shire of Plantagenet Porongurup Waste Management Facility and Kamballup Waste Management Facility.</p>	
Information	L3.2.1, L3.3.1	<p>L5.1.5 of the existing licence has been removed as this condition is duplicating the requirements of the inputs and outputs monitoring required in condition 2.1.1 and is therefore unnecessary.</p> <p>L3.2.1 (condition 5.2.1 of the existing licence) has been amended such that the annual environmental report shall be due within 31 calendar days after the end of the annual period, rather than 28 days. This has been done in accordance with the Licensee's requested for amendment, so that the annual environmental report is due on the 31 March annually.</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>The requirement within Table 3.2.1 to report a summary of any failure or malfunction etc. has been amended to refer to 'any environmental incidents', rather than 'any incidents' in accordance with the latest version of this condition.</p> <p>The requirements within Table 3.2.1 to report results of all waste inputs and outputs and a summary of wastes rejected have been changed to one requirement for a summary of inputs and outputs with reference to condition 2.1.1. This change is consistent with the requirements within Licence L8754/2013/1 and Licence L8869/2014/1 for the Shire of Plantagenet Porongurup Waste Management Facility and Kamballup Waste Management Facility.</p> <p>The requirement within Table 3.3.1 to notify the Department of any failure or malfunction etc. has been removed in accordance with DER's current licensing process, as it is an un-necessary duplication of the requirements of section 72(1) of the Environmental Protection Act 1986.</p>	
Schedule 1: Maps	N/A	The two plans within Schedule 1 of the existing licence indicating the site layout have been replaced with a revised map as the previous plans were unclear and contained outdated information.	
Licence Duration	N/A	There has been no change to the Licence duration.	



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
09/02/2016	Proponent sent a copy of draft instrument	No comments. Signed waiver form received 24/02/2016.	N/A



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High